

Appl. No. 10/593,757
Reply to Office Action mailed December 19, 2007

R E M A R K S

In the first paragraph on page 2 of the December 19, 2007 NOTICE, the Examiner states the following:

"The reply filed on 11/14/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant indicates that claims 18 and 19 should have been included in Group I, however, claim 18 is incomplete and claim 19 is missing."

Upon inspection of the Image File Wrapper on the USPTO website for the above-identified application, it appears that pages 8 to 10 of applicants' PRELIMINARY AMENDMENT filed December 8, 2006 are missing. Pages 8 to 10 of applicants' PRELIMINARY AMENDMENT filed December 8, 2006 included (i) the remainder of claim 18 and (ii) claim 19.

The full 12 pages of the PRELIMINARY AMENDMENT filed December 8, 2006 (a copy of which is enclosed) was received by the USPTO on December 8, 2006 (see the enclosed copy of the USPTO Auto-Reply Facsimile Transmission dated December 8, 2006).

It appears that the USPTO neglected to scan pages 8 to 10 of applicants' PRELIMINARY AMENDMENT filed December 8, 2006.

It is respectfully requested that applicants' complete PRELIMINARY AMENDMENT filed December 8, 2006 be entered.

In view of the above, it is respectfully submitted that

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applicants' RESPONSE TO RESTRICTION REQUIREMENT filed on November 14, 2007 was fully compliant.

The Examiner is respectfully requested to proceed with the examination of the application on the merits.

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RSB/ddf

Respectfully submitted,



Richard S. Barth
REG. NO. 28,180

- Encs.: (1) copy of PRELIMINARY AMENDMENT (12 pages)
filed December 8, 2006
- (2) copy of USPTO Auto-Reply Facsimile Transmission
dated December 8, 2006

DEC 21 2007

Auto-Reply Facsimile Transmission



COPY

TO:

Fax Sender at +1 212 319 5101

Fax Information

Date Received:

Total Pages:

12/8/2006 2:10:03 PM [Eastern Standard Time]

12 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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REC. 8 2006 2:10PM +1-212-319-5101 calltype: C 933		AC. 4265 P. 1
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE		
Serial No. : 10/593,757		CERTIFICATE OF FACSIMILE TRANSMISSION PTO NO. 1-571-273-030c
Applicants : Masaru KIMURA et al		TOTAL PAGES: 12
Filed : September 22, 2006		I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date noted below. <i>[Signature]</i>
For : HEAT- OR SINGLET OXYGEN- GENERATING AGENTS AND CANCER TREATMENT..		Attorney: Richard E. Born Cited: October 8, 2006
Art Unit : 1651		In the event that this paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, it does not consider this as a belated paper. For the requisite extension of time, and to the extent not covered by Form PTO-202B attached hereto, application to obtain the extension fee, or any other fees required in connection with this paper, to Account No. 66-1776.
Docket No. : 06662/HG		
Customer No. : 01933		
Confirm No. : 9122		
PRELIMINARY AMENDMENT		
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
SIR:		
Please amend the above-identified application as follows:		
Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.		
Remarks begin on page 7 of this paper.		